

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Wednesday, December 5, 2007

9:00 a.m.

Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative Paul Condino**, Chairman.

MEMBERS PRESENT: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Elsenheimer, Stakoe and Rick Jones.

MEMBERS ABSENT/EXCUSED: Representatives David Law and Rocca.

Representative Bieda moved to adopt the minutes of the **November 7, 2007**, meeting. There being no objection, the motion prevailed by unanimous consent.

Representative Meadows moved to excuse absent members from the committee. There being no objection, the motion prevailed by unanimous consent.

Chairman Condino laid **HB 4548** before the committee:

HB 4548	Condino	Corrections; parole; certain improvements and enforcements of parole guidelines; provide for.
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TESTIMONY

John Rubitschun, representing the Michigan Department of Corrections, testified and did not indicate a position on the bill.

Barbara Levine, representing the Citizens Alliance on Prisons and Public Spending (CAPPS), testified in support of the bill.

Jeff Sauter, Eaton County Prosecuting Attorney, testified and did not indicate a position on the bill.

Barbara Levine, representing CAPPS, testified again in response to the Eaton County Prosecuting Attorney's comments.

The following people submitted a card and did not wish to speak:

Paul Long, representing the Michigan Catholic Conference, supports the bill.

Sharon Peters, representing Michigan's Children, supports the bill in principle.

Maxine Thome, representing the National Association of Social Workers, supports the bill.

Laura Sager, representing Families Against Mandatory Minimums (FAMM), supports the bill.

Ben Baldus, representing the Evangelical Lutheran Church in America, supports the bill.

Penny Ryder, representing the American Friends Service Committee, supports the bill.

Michael Reagan, representing the Proaction Behavioral Health Alliance, supports the bill.

Hester Wheeler, representing the NAACP - Detroit Branch, supports the bill.

William Tregea, representing the Michigan Skills, Training and Education for Prisoners and Prevention (STEPP), supports the bill.

Representative Coulouris moved to adopt the substitute **(H-2)** to **HB 4548**.

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Virgil Smith, Warren, Schuitmaker, Elsenheimer, Stakoe and Rick Jones,

Nays: None,

Pass: None.

Representative Stakoe offered the following amendment to **HB 4548 (H-2)**:

1. Amend page 4, line 11, after "(A)" by inserting:

"THE PRISONER SCORED A HIGH PROBABILITY OF RELEASE ON PAROLE, AND".

Representative Schuitmaker moved to adopt the amendment.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Elsenheimer, Stakoe and Rick Jones,

Nays: None,

Pass: None.

Representative Meadows offered the following amendment to **HB 4548 (H-2)**:

1. Amend page 9, line 2, after "file." by inserting:

"AN INTERVIEW OF A PRISONER WHO IS DETERMINED TO HAVE A HIGH PROBABILITY OF RELEASE USING THE PAROLE GUIDELINES SHALL BE RECORDED ON AUDIOTAPE, ON VIDEOTAPE, OR BY EQUIVALENT MEANS. IF PAROLE IS DENIED, THE RECORD SHALL BE MAINTAINED BY THE DEPARTMENT FOR 6 MONTHS AFTER THE DATE ON WHICH THE NOTICE OF DECISION WAS MAILED. IF A PAROLE DECISION IS THE SUBJECT OF AN APPEAL, THE INTERVIEW SHALL BE TRANSCRIBED AND MADE PART OF THE RECORD."

Representative Meadows moved to adopt the amendment.

The motion prevailed by a vote of **11-2-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Stakoe and Rick Jones,

Nays: Representative Schuitmaker and Elsenheimer,

Pass: None.

Representative Virgil Smith moved to report **HB 4548** with recommendation, as substitute (**H-3**).

The motion prevailed by a vote of **11-2-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Stakoe and Rick Jones,

Nays: Representative Schuitmaker and Elsenheimer,

Pass: None.

There being no further business to come before the committee, the Chair adjourned the meeting at 10:23 a.m.

Representative Paul Condino, Chairman
House Standing Committee on Judiciary
Malika Abdur-Rashid
Committee Clerk
517-373-7256
1 Hour and 23 Minutes